UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, Clarke Cunanza, Defendant. ORDER OF DETENTION PENDING TRIAL In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held on 1/30, 2010 Defendant was present, represented by his attorney 1. Evaluate. The United States was represented by Assistant U.S. Attorney 1. Contact 1. PART I. Presumptions APPLICABLE // The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and the defendant has been convicted of a prior offense described in 18 U.S.C. § 3142(f)(1) while on release pending trial for a federal, state or local offense, and a period of not more than five (5) years has elapsed since the date of conviction or the release of the person from imprisonment, whichever is later. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. **There is probable cause based upon (the indictment) (the facts found in Part IV below) to believe that the defendant has committed an offense A. **Lefor which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., \$951 et seq., or § 955 et seq., or \$950 et seq., or \$95	Case 5:10-cr-00347-JF Docur	HEAL OF CALIFORNIA
In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held on \$\frac{1}{3}\oldsymbol{0}\$, 2010 Defendant was present, represented by his attorney \$\frac{1}{2}\$ Latter than \$\frac{1}{2}\$ Attorney \$\frac{1}{2}	<i>)</i>	
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In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held on Defendant was present, represented by his attorney V. Fulliv. The United States was represented by Assistant U.S. Attorney N. C. C. & March 19 (1988). PART I. PRESUMPTIONS APPLICABLE ART I. PRESUMPTIONS APPLICABLE / The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) while on release pending trial for a federal, state or local offense, and a period of not more than five (5) years has elapsed since the date of conviction or the release of the person from imprisonment, whichever is later. This establishes a rebutable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. There is probable cause based upon (the indictment) (the facts found in Part IV below) to believe that the defendant has committed an offense A. For which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., § 951 et seq., or § 955a et seq., OR B. under 18 U.S.C. § 924(c) use of a firearm during the commission of conditions whit reasonably assure the appearance of the defendant as required and the safety of the community. / No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE / The defendant has not come forward with any evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) A. The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART II. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) A. The United States has	v. cha / la	<u> </u>
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PATRICIA V. TRUMBULL
United States Magnistration Dated: 5/3/10

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